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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,850	09/25/2003	William J. McFarland	355053.00710 - PATENT	8691
7590	02/03/2005			
John W. Carpenter Reed Smith Crosby Heafey LLP P.O. Box 7936 San Francisco, CA 94120-7936			EXAMINER NGUYEN, HOANG V	
			ART UNIT 2821	PAPER NUMBER

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,850

Applicant(s)

MCFARLAND ET AL.

Examiner

Hoang V. Nguyen

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-- **Th MAILING DATE** of this communication appears on the cover sheet with th correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
4a) Of the above claim(s) 1-18 and 43-60 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-32 and 37-42 is/are allowed.
- 6) ☒ Claim(s) 33-35, 61 and 63 is/are rejected.
- 7) ☒ Claim(s) 36, 62, 64 and 65 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/25/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by DeWeerd et al (US 6,351,223 B1).

Regarding claim 33, DeWeerd (Figure 3.2) discloses an antenna comprising a set of data pins 2-10 and an RF input pin 1; at least one antenna element 34 connected to the RF input pin; and a series of shorts and opens connected to a set of data pins.

Regarding claim 34, as applied to claim 33, Figure 3.2 of DeWeerd shows that the shorts comprise grounded pins 3 and 8 and the opens comprise pins 5, 6 and 10 are not grounded.

Regarding claim 35, as applied to claim 33, Figure 3.2 of DeWeerd shows that the shorts comprise grounded pins 3 and 8 and the opens comprise pins 6 and 10 connected to a voltage source.

3. Claims 61 and 63 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al (US 4,827,266).

Regarding claim 61, the antenna structure of Sato (Figures 5 and 6) would enable the method of manufacturing an antenna comprising the steps of preparing a substrate 9; disposing at least one antenna element 1 on the substrate; attaching a connector 3 to the at least one antenna

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element; inserting at least one electronic component 8 on the substrate in a location where it is not easily removed or modified.

Regarding claim 63, as applied to claim 61, Figure 6 of Sato shows that the electronic component 8 is embedded in the substrate.

Allowable Subject Matter

4. Claims 36, 62, 64 and 65 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 19-32 and 37-42 are allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 19, DeWeerd discloses an antenna comprising an RF input pin and at least one antenna element connected to the RF input pin. DeWeerd, however, fails to further teach at least one electronic component connected to the RF input pin, wherein the electronic component being configured to identify at least one property of the antenna.

Claims 20-32 are allowed for depending on claim 19.

Regarding claim 36, DeWeerd discloses an antenna comprising a set of data pins and an RF input pin; at least one antenna element connected to the RF input pin; and a series of shorts and opens connected to a set of data pins. DeWeerd, however, fails to specifically teach that the antenna is a dual element planar antenna.

Regarding claim 37, DeWeerd discloses an antenna comprising a set of input pins and an RF input pin; and at least one antenna element connected to the RF input pin. DeWeerd,

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however, fails to further teach at least one electronic component connected to the set of input pins, wherein the at least one electronic component has a value related to at least one property of the antenna.

Claims 38-42 are allowed for depending on claim 37.

Regarding claim 62, the antenna structure of Sato would enable the method of manufacturing an antenna comprising the steps of preparing a substrate; disposing at least one antenna element on the substrate; attaching a connector to the at least one antenna element; inserting at least one electronic component on the substrate in a location where it is not easily removed or modified. Sato, however, does not specifically teach that the electronic component is being surrounded by the at least one antenna element.

Regarding claim 64, Sato fails to specifically teach, among other features, that the electronic component is one of a resistor having a value selected to identify properties of the antenna, a resonant circuit having a resonant frequency that identifies properties of the antenna, and a microchip configured to transmit properties of the antenna.

Regarding claim 65, Sato fails to specifically teach, among other features, that the antenna is a dual element planar antenna.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Patent 4,972,196 discloses an antenna comprising an antenna element disposed on a substrate; a connector attached to the antenna element; and an electronic component embedded in the substrate.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang V. Nguyen whose telephone number is (571) 272-1825.

The examiner can normally be reached on Mondays-Fridays from 9:00 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Nguyen can be reached on (571) 272-1825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hvn
1/31/05



**HOANG V. NGUYEN
PRIMARY EXAMINER**